

IN THE U.S. DISTRICT COURT  
EASTERN DIVISION  
EASTERN DISTRICT OF MISSOURI

①

RECEIVED

AUG 01 2016

BY MAIL

JODY GOLDSBERRY  
DEFENDANT

V.S.

UNITED STATES OF AMERICA  
PLAINTIFF

CASE NO: 4:14CR00091AGF/DPN

DIVISION NO: 12 SOUTH

REQUEST FOR WITHDRAWAL OF GUILTY PLEA  
AND DISMISSAL OF MATTER.

Comes Now Defendant Jody GOLDSBERRY who  
REQUESTS WITHDRAWAL OF GUILTY PLEA AND DISMISSAL  
OF MATTER, OR IN THE ALTERNATIVE, A JURY TRIAL.

1. DEFENDANT WISHES TO WITHDRAW HIS GUILTY PLEA  
BECAUSE HE WAS DENIED THE ONLY WITNESS  
THAT HE REQUESTED FOR HIS DEFENSE AT TRIAL  
ON 2-1-2016 WHICH WAS LILLIAN GOLDSBERRY.

I JODY GOLDSBERRY AND LILLIAN GOLDSBERRY  
WERE FIRST INFORMED THAT LILLIAN GOLDSBERRY COULD  
APPEAR BY DEPOSITION AT MY TRIAL 2-1-16  
BECAUSE SHE WAS HAVING MAJOR SURGERY  
FIRST THING ON THAT DATE. [I WOULD LIKE TO POINT  
OUT THAT THIS IS TWICE THAT MY TRIAL DATE  
WAS MOVED TO MY MOTHERS SURGERY DATE.]

THEN I WAS INFORMED THAT THE PROSECUTOR  
WOULD NOT ALLOW MY MOM TO APPEAR BY DEPOSITION.  
HENRY MILLER SENT ME A LETTER [THAT I HAVE  
AS A PART OF THIS MOTION] I BELIEVE ABOUT 7  
DAYS BEFORE TRIAL THAT SAYS

INCLUDED  
A COPY

UNDER THE COURT RULES  
IN ORDER FOR HER TO APPEAR BY DEPOSITION  
RATHER THAN IN PERSON, SHE HAS TO BE  
UNAVAILABLE. WHILE SHE MAY NOT WANT TO  
COME TO COURT, AS IS MADE ABUNDANTLY CLEAR  
IN THE RECORDED JAIL CALLS, THIS IS NOT  
THE SAME AS UNAVAILABLE. SHE IS GOING  
TO HAVE TO APPEAR IN COURT. THEN THE  
LETTER GOES ON TO MORE OR LESS THREATEN  
MY MOM LILLIAN & AUNT BEVERLY WITH  
WITNESS TAMPERING (SEE INCLUDED LETTER <sup>FROM</sup> MILLER  
DATED 1-25-16)

YOUR HONOR, MY MOTHER DID HAVE <sup>MAJOR</sup> SURGERY ON 2-1-16  
AND HAS SENT THE RECORDS TO THE COURT.

AT THE HEARING 2 DAYS BEFORE <sup>TRIAL</sup> IMMEDIATELY WHEN  
I WAS MADE AWARE THAT THEY WERE GOING TO GET  
MY MOM ANYWAY, I PLEAD GUILTY. AT THAT  
POINT I WOULD HAVE PLEAD GUILTY TO BEING  
JOHN WILKS BOOTH AND SHOOTING ABRAHAM LINCOLN  
RATHER THAN LET MY MOM'S LIFE BE ENDANGERED

- ② SECOND REASON FOR REQUESTING WITHDRAWAL OF  
GUILTY PLEA AND DISMISSAL OF MATTER <sup>OR JURY</sup> TRIAL  
THE GOVERNMENT'S WITNESSES RETIRED JET  
AND TERRY DUANE SARGENT BOTH PERJURED  
THEMSELVES UNDER OATH IN YOUR COURT ON  
7-22-16. WHAT THEY TOLD THE GRAND JURY

AND WHAT THEY TESTIFIED TO IN YOUR COURT  
ON 7-22-16 ARE TWO DIFFERENT THINGS.  
REJINA JETT HAS TOLD AT LEAST 3 DIFFERENT  
VERSIONS OF HER STORY, AND IN EACH ONE THE  
NUMBER AND THE KIND OF GUNS CHANGE.

(3) AUSA STEVENS ENTERED AS EVIDENCE  
A SENTENCE FROM A HOSPITAL MEDICAL RECORD  
SAYING SHE DOESNT WANT TO GET HIM IN TROUBLE  
MR STEVENS INSINUATES THAT LILLIAN GOLDSBERRY  
HAS SAID THIS. SHE DID NOT. PLEASE  
READ THE REST OF THE REPORT LILLIAN GOLDSBERRY  
DENIES SAYING THIS. LATER THE CW SAYS IT CAME  
FROM FRIENDS & FAMILY I BELIEVE

YOUR HONOR WOULD YOU HAVE THE PROSECUTOR  
PLAY THE JAIL CALL WHERE MY MOM TELLS ME  
YOUR BROTHER PAUL CALLED AND SHE TOLD HIM THAT HE SHOT  
HER SHED UP. (HE DENIES IT) AND SHE SAYS  
YES YOU DID. TRAVIS WALKER MENTIONS THIS IN HIS  
GRAND JURY TESTIMONY.

FOR THESE REASONS I JODY GOLDSBERRY  
RESPECTFULLY REQUEST THAT YOU LET ME  
WITHDRAW MY GUILTY PLEA AND DISMISS  
THIS MATTER OR IN THE ALTERNATIVE  
A JURY TRIAL

RESPECTFULLY SUBMITTED 7-26-2016

Jody GOLDSBERRY  
Jody Goldsberry



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HENRY M. MILLER

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January 25, 2016

**ATTORNEY/CLIENT MAIL**

Mr. Jody Goldsberry, Inmate  
St. Louis County Department of Justice Services  
100 South Central Avenue  
Clayton, Missouri 63105

Dear Mr. Goldsberry,

I have provided to Mr. Ray Barnes, IT Administrator at the jail, a DVD containing all of the discovery I have received to date for you to review. There are some new items that are on the disc, that I just received last Friday: many hours of recorded jail calls, an audio recording of your court appearance in Wayne County, and records related to your priors, as well as your mother's complete medical record from the night she was shot.

As I believe you are aware, you need to talk to the CO's on your floor to get access to the computer so that you can review the disc.

Regarding the deposition of your mother, under the court rules, in order for her to appear by deposition rather than in person, she has to be unavailable. While she may not want to come to court, as is made abundantly clear in the recorded jail calls, this is not the same as unavailable. She is going to have to appear in court. One other note, the prosecutor called me today because he is receiving indication from potential witnesses that both your mother and Aunt Genevieve are engaging in conduct that borders on tampering with witnesses, which is a crime. Whatever they are doing to or saying to witnesses, I would strongly advise that they stop.

If you have any questions, please contact me.

Sincerely,

  
HENRY M. MILLER

HMM